Prince Edward Island Human Rights Commission 2016 - 2017 Annual Report

Human Rights: Everyone's Responsibility!

Human Rights Commissioners and Staff (2016-2017)

From Left: Ellen Macdonald, John Rogers, Brenda Picard, Carmen de Pontbriand, Thomas Hilton, Alcide Bernard, Wendy Baker, Maurice Rio, Lorraine Buell, George Lyle.

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Human Rights Commission

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John Rogers
Commission Chair

August 30, 2017

The Honourable Wade MacLauchlan, Attorney General
Province of Prince Edward Island
PO Box 2000
Charlottetown PE C1A 7N8

Dear Minister MacLauchlan:

Re: Prince Edward Island Human Rights Commission Annual Report – Fiscal 2016-2017

On behalf of the staff and Commissioners of the Prince Edward Island Human Rights Commission, I am pleased to provide to you the Commission's Annual Report for the fiscal year 2016-2017.

We submit this report to you for presentation to the Legislative Assembly in accordance with section 22.1 of the Prince Edward Island *Human Rights Act* R.S.P.E.I. 1988, Cap. H-12.

Should you or your staff have any questions or require any further information, please do not hesitate to contact me.

Sincerely,

John Rogers
Chair

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Message from the Chair

In the face of so much change, so much uncertainty, so much conflict, more than ever we must choose to anchor ourselves in the core values of empathy and respect. We must choose to be a country that continues to value human rights. (Marie Claude Landry, Chief Commissioner, Canadian Human Rights Commission in her 2016 Annual Report to the Parliament of Canada) (April 2017)

I am pleased to present the Prince Edward Island Human Rights Commission's Annual Report for 2016-2017. For this publication, the Commission has adopted the theme *Human Rights: Everyone's Responsibility!*

This theme is reflected by Ms. Landry in her recent report to Parliament. Current and past events in Canada have served as a grim reminder that we are not immune to significant violations of human rights. Human rights should never be taken for granted. As a society, we must continue to examine human rights legislation and its application to our everyday lives. Important values of *empathy* and *respect* must be promoted in our homes, schools, businesses and communities to prevent discrimination and safeguard the future of human rights. Human rights are indeed Everyone's Responsibility!

Reflecting on the past year, it has indeed been a busy one for the Prince Edward Island Human Rights Commission. Resolving complaints of discrimination and, at the same time, providing a robust program of education for schools and the general public has been challenging. The Commission (staff and Commissioners) works tirelessly for the advancement of human rights within our province. Our single most important goal is to protect human rights and promote dignity and respect for all individuals in our society. This goal is a reflection of the wording and spirit of the Prince Edward Island *Human Rights Act*.

2016 was a significant year in that it marked the 40th anniversary of the PEI Human Rights Commission. To commemorate this important milestone, the Commission published a booklet, *Celebrating Our Journey of Human Rights*, which traced the history of the Commission as well as the development of human rights in the province. Its purpose was to heighten the public's awareness of human rights law and its application to everyday life on PEI. This publication is available in English and French.

The 40th anniversary was also celebrated through Human Rights Day activities held at Stratford Town Hall on December 9, 2016. Stratford, where many new immigrants to the province reside, is one of the most diverse communities on PEI. The Commission was pleased to partner with Stratford's mayor and town council in hosting the day's events.

Mi'kmaq drummer and artist, Gilbert Sark of Lennox Island First Nation, opened the celebration. This was followed by elders Charlotte Morris and Margaret Labobe of Lennox Island First Nation providing a smudge ceremony and opening prayer. Greetings were received from His Worship David Dunphy, Mayor of Stratford, and the Honourable Alan McIsaac, Minister of Agriculture.

An interesting program on the theme of human rights followed with presentations by: Kelly Carpenter (Mount Stewart Consolidated, teacher); Stratford Elementary Choir (Ellen Davies, choir director); senior high students from École François-Buote (Maxime Duguay, teacher); Charlottetown Rural Gender Sexuality Alliance; Andrew Petrie (Colonel Gray, teacher); and Basel Al Rashdan (Syrian refugee and student at St. Jean Elementary). Thank you to all participants for a great job! Thank you, as well, to Tom Hilton (PEI Human Rights Commission, Education Project Officer) and

Vicki Allen Cook (Department of Education, Early Learning and Culture, arts consultant) for organizing an excellent program.

There is no better time than an anniversary to reflect on the past and look to the future. Upon reflection, the challenges that lie ahead are many. The Commission must continue to focus on improving the resolution time for complaints. Although our resources are limited, we strive to improve in this area. Also, as time moves on, advances in human rights legislation and case law necessitate ongoing revision of Commission publications, website, and education presentation materials. Even the *Act* itself needs to be reviewed to remain current and relevant. It is the mandate of the Commission to develop, promote, and present human rights education materials to schools, businesses, community organizations, and the general public. This work demands the services of a dedicated full-time Education Officer. In 2005, the funding for the Education Officer position was eliminated due to budget reductions. For the reasons stated above, the Commission will continue to advocate for funding to fill this vacant position on a permanent basis. It is critical to the overall efficiency and effectiveness of the work of the Commission and delivery of the objectives as set out in the *Act*.

In closing, some words of appreciation are in order. I would like to thank Wendy Baker for her dedication and service. Ms. Baker has served as Human Rights Legal Officer with the Commission for the past six years. She recently accepted a new position in Nova Scotia. On behalf of staff and Commissioners, I wish her every success in her new role. I welcome Jonathan Greenan as our new Human Rights Legal Officer.

Thank you to staff members Brenda Picard (Executive Director), Lorraine Buell (Mediator/ Intake Officer), and Tom Hilton (Education Project Officer) for your dedication and the excellence you demonstrate in your work.

Thank you, as well, to Commissioners Maurice Rio, Alcide Bernard, George Lyle, Carmen de Pontbriand, and the Honourable Ellen Macdonald, for your service in the advancement of human rights on Prince Edward Island. Alcide Bernard and the Honourable Ellen Macdonald have both completed their terms as Commissioners effective May 2017. I wish them the best with their future opportunities to contribute to the community of PEI, and I look forward to working with our newly appointed Commissioners Lori St. Onge and Joanne Ings.

Respectfully Submitted,

John Rogers
Chair

Message from the Executive Director

Education continues to play an important role for the Commission. As can be seen from much of this report, the Commission believes that information and education are important ingredients in preventing discrimination. During the 2016-2017 fiscal year, we were able to employ our Education Project Officer on an ad hoc basis for most of the year. Offering month-to-month or short-term contracts is unsatisfactory for our staff and makes continuity and long-term planning impossible. Although other staff and Commissioners contribute to the education mandate, funding for a dedicated full time Education Officer would mean more focus on both our education and complaint resolution mandates.

We have dedicated much of this report to highlighting our education and outreach activities. We hope this will provide insight to the education work that we do at the Commission and the importance of this work. We continue to seek funding from the province to support a full time Education Officer.

During the summer of 2016 we had the pleasure of working with two law students. Josh Adams, a UNB law student entering his third year of study, completed a volunteer intern position as part of his course options and then continued with us over the summer completing research projects and getting experience in the area of administrative law. Ben Roper, entering his third year at Dalhousie University's Schulich School of Law, was hired through a Canada Summer Jobs Grant to research and write our 40th Anniversary Publication – *Celebrating our Journey of Human Rights*. Ben was also able to observe and participate in some administrative law cases.

We were pleased this year to have our 40th anniversary publication produced in both English and French. We were also pleased to have our K-6 learning tools adapted for use in the province's French schools. We invited intermediate students at École François-Buote to produce original artwork for our French bookmarks and were so pleased with the results that we used three of the artwork produced.

Our annual Human Rights Day events continue to develop into celebratory and learning opportunities. We partnered with the Town of Stratford for our December 2016 event and we were pleased to hold our Human Rights Day event in their town hall.

In 2017, we will be celebrating Human Rights Day on December 11th at the Confederation Centre of the Arts. This community celebration entitled: *Mi'kmaq at 12,000+ and Canada at 150: Celebrating a Journey of Reconciliation* will act as the conclusion of a Canada 150/ Artsmarts project to take place at three Island schools between September and December. We invite everyone to join us between 11:30 a.m. and 1:30 p.m. on December 11th, 2017, at the Confederation Centre of the Arts to share in the learning and celebration.

Brenda J. Picard Q.C.
Executive Director

Education Project Officer's Report

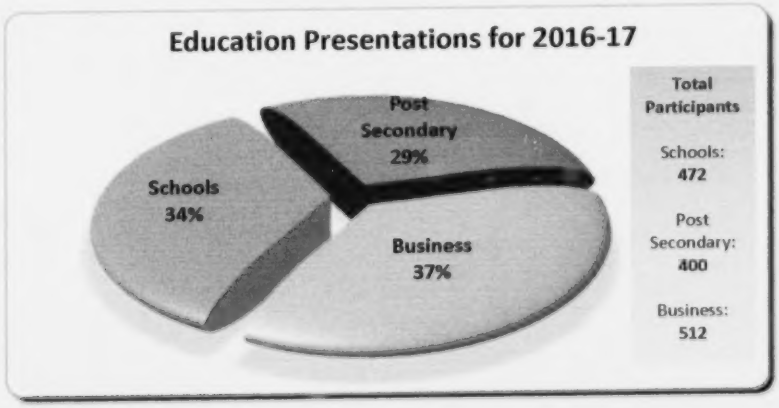
After four years of delivering education sessions on the *Human Rights Act* and the work of the Commission, I can attest to the fact that Islanders run the gamut of human difference and diversity. To name but a few of our individual identities, we are: young and old; female, intersex and male; divorced, married, single and widowed; Buddhist, Christian, Free Thinker and Muslim; bisexual, gay, queer and straight; Mi'kmaq, multi- generation European settlers and newcomers to Canada; cisgender, non-binary and transgender; able-bodied and people with disabilities. Beyond these diverse identity labels, Islanders also share the common belief that we are all human beings deserving of equal dignity, respect and equal protection of the law.

The theme of this year's report, *Human Rights: Everyone's Responsibility,* captures the paradoxical nature of the *Act's* guarantees of individual equality and freedom. In 1953, from his jail cell in Birmingham, Alabama, Martin Luther King Jr. wrote that *"injustice anywhere is a threat to justice everywhere".* I interpret this to mean our individual expectation of equal treatment before the law implies our individual responsibility to ensure everyone else experiences equality. Or, as one young student so memorably stated, *"I am unique and thank God for our differences. I can't imagine how bo ed I would be if we were all the same!"*

This past fiscal year the Commission delivered 61 education presentations to approximately 1,400 students, teachers, employees, employers, service providers and community members. Throughout, I experienced Islanders' thoughtful and passionate commitment to freedom, justice and peace. Participants expressed valuing their inalienable right to equal treatment before the law while recognizing their responsibility to safeguard others' human rights, in particular, those of others who identify differently from them. In closing, I am pleased to report the seed of *Human Rights: Everyone's Responsibility* is taking root throughout PEI.

Respectfully submitted,

Thomas Hilton
Education Project Officer



Education Sessions to Businesses and Organizations

Did you know?
The Commission has designed free education sessions to specifically address the rights and responsibilities of employers and employees regarding 'the duty to accommodate to the point of undue hardship'. We encourage Island employers to call today and book a session for the benefit of you, your employees and the organization!

Similar to statistics reported in previous fiscal years, 2016-17 saw the area of employment continue to account for the majority of new complaints (53%) and telephone enquiries (54%) received by the Commission. Of the new employment-related complaints, 58% cited the ground of disability.

In fiscal year 2016-17, the Commission delivered 34 education sessions to 512 employees, employers, community organizations and their clients. Presentations were individually designed to meet the needs of the organization to whom we presented. Presentation sessions included information on general human rights, the role of the Human Rights Commission, gender identity and expression, harassment in the workplace and the duty to accommodate to the point of undue hardship.

Adventure Group Staff

Adventure Group staff members feel it is very beneficial for youth in our Employment Management Program to learn about their human rights and responsibilities under the PEI Human Rights Act. Many have been out of the work force for a period of time or in some cases are seeking employment for the first time and may find themselves experiencing or witnessing discrimination in the workplace.

The information provided empowers them with knowledge not only about discrimination in the workplace but for different situations in life where their rights may be threatened.

Denise Cheverie, Coordinator,
Adventure Group

Learning about the Human Rights Act taught me that even though I have a criminal conviction, as long as it is not related to the job I am applying for (example: a person with a DUI applying to be a bus driver) then I am still eligible for the job. Just having the conviction should not stop me from getting the job regardless of what people say or think. So I believe that these human rights talks are incredibly valuable and informative and should definitely continue.

Student, Employment Management
Program, Adventure Group

The importance of human rights in healthcare cannot be overstated. At Marguerite Connolly Training and Consulting we believe educating our students about human rights and how the principles are displayed and practiced in our Island facilities will ensure our graduates treat all people as unique individuals deserving of dignity. The Human Rights Commission's education sessions promote the understanding that all people - no matter where they come from or what their beliefs are - have a right to be free from discrimination, free from abuse and free from neglect. Each person we care for has the right to autonomy and to feel safe and secure.

Caregivers who practice these principles promote the health and well-being of those in their care, as well as their families. Having the Commission come in to speak with our RCW students about this topic provides education and increases their insight. This in turn increases their drive to have integrity, to practice to the highest standard of care, and to respect each individual with understanding and confidentiality. Thank you for reinforcing the message that health caregivers have a duty to protect our own human rights and those of our clients, their families and our co-workers.

Pam Josey, Director, Marguerite Connolly Training and Consulting

RCW Class of 2016 Marguerite Connolly Training and Consulting

Education Sessions to Post-Secondary Students

Memorial Hall, home of UPEI Faculty of Education

Educational institutions offer unique opportunities for human rights education sessions. Whether delivered to students destined to become public school teachers, early childhood educators, human resource managers or business owners, the Commission appreciates the opportunity to nurture human rights champions before post-secondary students assume their professional responsibilities.

In fiscal year 2016-17, the Commission delivered 15 sessions to 400 students in various post-secondary learning environments.

I believe that teachers have a huge responsibility in building and maintaining a safe learning environment that is respectful of every student. The learning environment should be considerate of our rights as humans to have a space where we are not bullied or put down and where we can feel safe to be ourselves. As a teacher, this is what I will aspire to when creating my classroom community. Safety and respect are of utmost importance; without these, a classroom is not truly conducive to learning and open-mindedness. Thanks for the excellent presentation, Human Rights Commission!

Melissa Sansom,
UPEI B.Ed. student, Class of 2018

The Commission's annual presentations to ED 4630, 'Perspectives on Culture and Society in Education', have become an invaluable and integral part of the course. The presentations expose pre-service teachers to the legal framework that obliges them to ensure that all students' freedom, equality, dignity and human rights are respected. The presentations are lively and engaging; the focus on case studies derived from school contexts brings the issues to life and gives the pre-service teachers hands-on insights into how to untangle human rights issues.

Alexander McAuley, PhD,
UPEI Faculty of Education

The timing of the education session couldn't have been better as we had several students who were transitioning to their lived gender identity and we wanted to be very careful to not violate anyone's human rights. We learned that it is safe to respectfully ask, "How do you identify?" and that the person on the other side of the question will likely appreciate this consideration and openness to respectful communication.

Educator,
Holland College Adult Education

Education Sessions to Students and Teachers

Presentations were made to approximately 500 elementary, intermediate and high school students and their teachers this year.

Over the past three years, the Commission's Education Project Officer has been working with representatives of the Department of Education, Early Learning and Culture, the UPEI Faculty of Education, the PEI Teachers' Federation and the English Language School Board/Public Schools Branch to create integrated cross-curricular learning units for students from kindergarden to Grade 6 (K-6) which promote inclusive learning environments and understanding of human rights concepts. With the additional assistance of the Mi'kmaq Confederacy and local survivors, we have also created a 12-chapter Grade 9 Social Studies resource on the history and legacy of Canada's Indian Residential Schooling system.

Building on our K-6 resources, the Commission collaborated this year with the Department of Education, Early Learning and Culture (French programs), la Commission scolaire de langue française and the provincial government's Translation Services to produce similar learning resources for use in French K-6 classrooms on PEI. The learning resources enable students to gain knowledge, skills and attitudes necessary to demonstrate respect and support for fundamental human rights. They have been approved by the Department of Education, Early Learning and Culture and are available on our website.

Students from École François-Buote were invited to submit artwork to be featured on our French bookmarks. We were so impressed with their work that we created three bookmarks so we could display their creativity. Selected artists were Judy Yun, Allison Pater and Lia Holden.

Bookmarks prepared by students at École François-Buote

The Commission displays its materials each year at the PEI Teachers' Convention allowing hundreds of teachers to think about human rights issues in the classroom and to view the education resources developed by the Commission and its education partners. There is always a demand for materials in French. The K-6 French resources were completed and sent to all French schools in March 2017.

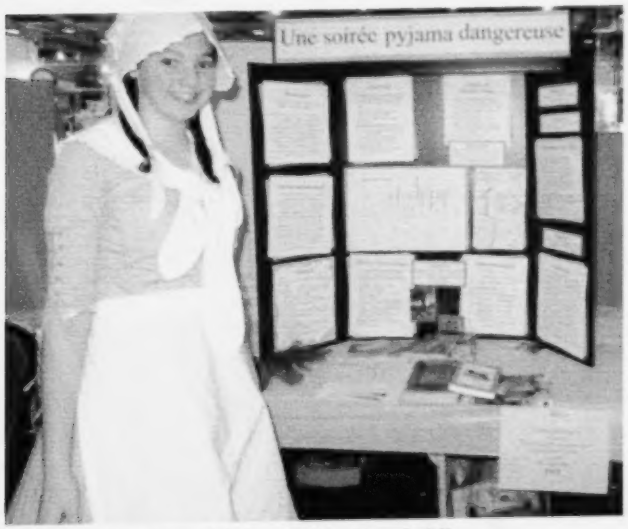
K-6 English and French and Grade 9 Resources

Work is underway to develop a PD day with French elementary school teachers to ensure they have access to and understanding of the materials. The French resources are available on the Teacher's Tool Kit section of our website and will be featured at the PEI Teachers' Convention in 2017.

Heritage Fair Award - 2016

In the spring of each year, children in grades 5 to 9 from across the Island prepare Heritage Fair projects. They are judged at the school level and top presenters are invited to participate in the Provincial Heritage Fair held at the Confederation Centre of the Arts.

In 2016, the Human Rights Commission sponsored two special prizes to encourage young people to think about and prepare projects focusing on human rights. We sponsored an award for both an English and a French project. In 2016, the winners were Jessica Thibeau and Caroline MacDonald.



Caroline MacDonald dressed as Sarah Allen.

Photo courtesy of La Voix Acadienne.

Jessica Thibeau, a grade 5 student at Queen Elizabeth Elementary School, was awarded the English prize for her project entitled "The Underground Railroad". This project focused on the struggles of black slaves in America making their way to the protections and acceptance of people in the northern US and Canada.

FÊTES DU PATRIMOINE
DU CANADA | CANADA'S
HERITAGE FAIRS

The French prize was presented to Caroline MacDonald, a grade 8 student at École François-Buote for her project entitled "Une soirée pyjama dangereuse". This was the story of her ancestor Sarah Allen who, as a young girl in 1704, lived with her family outside of a fort in Deerfield, Massachusetts. She was spending the night with a friend in the fort, when French and Iroquois soldiers attacked the fort. Sarah was taken hostage to Montreal where she had to learn French and Iroquois and convert to Catholicism. She later married a French Catholic man and they had several children. *"Many francophones in Quebec are unaware that some of their ancestors were part of massacres and were not originally of French descent"*, says Caroline.

Outreach

The Commission believes it is important to let people know about the work we do and to show support to other organizations that support the ideals of promoting Human Rights and treating everyone with dignity and respect. Events we were pleased to participate in include:

- MCPEI Annual Aboriginal Justice Forum
- PEI Law Society & Mi'kmaq Community Cultural Competency Training
- PEI Association for Newcomers to Canada Annual Meeting and DiverseCity
- Montreal Massacre Service
- UPEI Truth and Reconciliation Education Day
- Silent Walk and Rally in support of the Muslim community
- International Day for the Elimination of Racial Discrimination

Our Education Project Officer attended performances of *"The Laramie Project"*, a play produced by ACT (A Community Theatre), to facilitate discussion with audience members following the play. *The Laramie Project* is a play by Moisés Kaufman and members of the Tectonic Theater Project about the reaction to the 1998 murder of gay University of Wyoming student Matthew Shepard in Laramie, Wyoming.

We were especially pleased to facilitate the participation of three members of the PEI transgender community at the Canadian Human Rights Commission's 'Roundtable on Gender Identity & Gender Expression' in Halifax.

In celebration of our 40th anniversary, we entered a float in the 2016 Pride Parade. Current and former Commissioners, staff, and friends of the Commission rode on the float. Music was performed live by Luke Thompson who sang Michael Jackson's *"Heal the World"* as we drove the parade route and past the grandstands.

Commissioners, staff and friends on the Commission's Pride Parade Float

Students carrying our logo and handing out our bookmarks to the spectators

Human Rights Day

As outlined in the Chair's message, one of our most enjoyable events is when we invite the public to celebrate International Human Rights Day. Human Rights Day commemorates the day on which, in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. In 1950, the General Assembly passed a resolution inviting all states and interested organizations to observe December 10th of each year as Human Rights Day.

Human Rights Day 2016 was celebrated in partnership with the Town of Stratford at their Town Hall. A number of organizations were invited to set up display booths, including AIDS PEI, the Mi'kmaq Confederacy of PEI, the PEI Council of Persons with Disabilities, the PEI Association for Newcomers, the Canadian Mental Health Association and the Community Legal Information Association.

Mi'kmaq drummer and artist, Gilbert Sark started the celebration. A smudge ceremony and opening prayer were provided by elders Charlotte Morris and Margaret Labobe. Welcoming remarks were given by Human Rights Commission Chair John Rogers, Stratford Mayor David Dunphy and Minister Alan McIsaac on behalf of the province.

During the program, students from Stratford Elementary School Choir, led by teacher Ellen Davis, provided human rights-themed musical entertainment. Students from Charlottetown Rural High School's Gender Sexuality Alliance offered tips on how to stand up for someone's rights. École François-Buote students presented *"Being Bilingual in PEI: What's Wrong With That?"* and St. Jean's Elementary School student Basel Al Rashdan presented his speech entitled *"The Importance of Standing up for Someone's Rights Today"*. Teachers also shared their experiences with human rights education. Kelly Carpenter from Mount Stewart Consolidated presented *"Practicing Reconciliation through Mi'kmaq Drumming"* and Andrew Petrie from Colonel Gray High School spoke about the project he devised in consultation with the Commission's Education Project Officer, Tom Hilton, titled *"Examining Human Rights Discrimination and the Duty to Accommodate: A Classroom and Community Project with Newcomers to PEI."*

The Town of Stratford provided a light lunch which was catered by Andrews of Stratford and we also had the pleasure of sampling some wonderful ethnic dishes from Orraya Saefoong, Trevor Gooch, and Sharda Gupta. We thank everyone who attended and participated in the event in any way.

Students from Stratford Elementary Choir enter singing *"Little Boxes"*

Hon. Alan McIsaac and John Rogers participate in smudge ceremony with Charlotte Morris and Margaret Labobe, Tom Hilton looks on

Basel Al Rashdan, St Jean Elementary delivering his speech

Award for the Advancement of Human Rights

John Rogers, Chair of the Commission, presents the Advancement of Human Rights Award to Thilak Tennekone, while Brenda Picard, Executive Director of the Commission, and David Dunphy, Mayor of the Town of Stratford look on.

The Award for the Advancement of Human Rights was created by the Human Rights Commission to recognize Island individuals or groups who have made an important contribution to the promotion of the values enshrined in the Prince Edward Island *Human Rights Act*, namely that every person is free and equal in dignity and rights.

The Award was established in 2008 to mark the 60th anniversary of the UN's adoption of the Universal Declaration of Human Rights and is presented periodically. On the 40th anniversary of the Commission, the Commission chose to present this award to Thilak Tennekone who has spent much of his work and volunteer life encouraging inclusion and building Prince Edward Island into a diverse and welcoming community.

Originally from Sri Lanka, Thilak and his family chose to settle on the Island in the early 1990s. At that time, there was little access to community and social networks for immigrant families. Opportunities for newcomers to speak their own language or practice their religious traditions were limited. Thanks in part to Thilak's efforts to make the province more inclusive, the Island's Sri Lankan community and other diverse ethnic communities have grown.

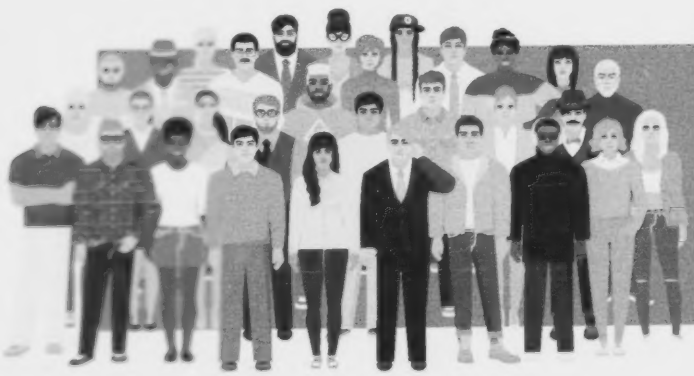
Thilak helped establish PEI's first immigrant service agency, the PEI Association for Newcomers to Canada, in 1993. Thilak was also one of the founding members of the PEI International Friendship Association. This Association is responsible for designing The International Tea House, the main purpose of which is to develop a sense of community among all cultural groups through presentations, costume shows, ethnic food, traditional arts and crafts displays, music performances and other family-friendly social events.

Thilak has a talent for promoting diversity and is proud to have been a role model to help others learn about cultural differences. He is always willing and interested to share information about his cultural identity, Buddhism, Sri Lankan music, food, traditions and other cultural practices.

Thilak has served as the Chair of the Asian Heritage Society and the PEI Multicultural Association. He is the Chair of the Town of Stratford's Diversity and Inclusion Subcommittee. Stratford is the only community in PEI which is a signatory to the United Nations-sponsored Canadian Coalition of Municipalities Against Racism and Discrimination. Among other things, the subcommittee hosts an annual event to celebrate the International Day for the Elimination of Racial Discrimination.

In addition to his volunteer work, Thilak promotes inclusion in his role as the diversity consultant for the PEI Public Service Commission. Thilak obtained a Diploma in Adult Education in 2001 and he received his Master's Degree in Education from the University of Prince Edward Island in 2006. Thilak also holds a Bachelor's Degree, with a Major in Sociology, from the University of Colombo, Sri Lanka.

In 2015, Thilak was a recipient of the RBC Top 25 Immigrant Award. In accepting the award, Thilak, the only Islander to receive the award, said: *"Canada is my home and promoting the cultural learning experience and respect of different cultures, that's something I'm very proud of."*



In 2016, **2187** newcomers from **82** countries immigrated to PEI. The top six countries of origin were: **China, India, Syria Phillipines, Vietnam, Nigeria**

Powers and Duties of the Commission

Since the enactment of the *Human Rights Act* on September 11th, 1976, the Prince Edward Island Human Rights Commission has been empowered to:

- administer and enforce the *Act*;
- develop a program of public information and education in the field of human rights to forward the principle that every person is free and equal in dignity and rights;
- advise government on suggestions, recommendations and requests made by private organizations and individuals;
- report as required by the Minister on the business and activities of the Commission;
- consider, investigate or administer any matter or activity referred to the Commission by the Minister or the Lieutenant Governor in Council.

When a complaint is made to the Human Rights Commission, the typical process involves written exchanges of information between the Complainant and the Respondent (the business, individual, or entity against whom a complaint of discrimination is made).

Human rights complaints must be made within one year of an alleged incident of discrimination. The complaint must fall within one or more of the areas covered by the *Human Rights Act*. As well, the complaint must be based on one or more of the grounds covered by the *Act*.

The Commission's Mediator/Intake Officer assesses the file and, where appropriate, canvasses with the parties to determine if they are interested in discussing mediation or settlement. This option is provided at all stages of the process, including before a response to the complaint is filed. If the matter is not resolved at this stage, the matter is sent to the Executive Director or her delegate (the Human Rights Legal Officer) to investigate and make further attempts to settle the matter.

The duties of the Executive Director are set out in sections 22(3) and (4) of the *Human Rights Act:*

22(3) The Executive Director shall investigate and attempt to effect settlement of the complaint.

22(4) Notwithstanding subsection (3), the Executive Director may, at any time,

(a) dismiss a complaint if the Executive Director considers that the complaint is without merit;

(b) discontinue further action on the complaint if, in the opinion of the Executive Director, the complainant has refused to accept a proposed settlement that is fair and reasonable;

(c) discontinue further action on the complaint if it could be dealt with more appropriately by an alternate method of resolution under any other Act, or if grievance or other review procedures have not been exhausted; or

(d) report to the Chairperson of the Commission that the parties are unable to settle the complaint.

In cases where the Executive Director dismisses or discontinues a complaint, the Complainant can request that the Chair of the Commission review the file to determine if the Chair agrees with the decision.

When the Executive Director reports that the parties are unable to settle the complaint, or when the Chair has conducted a review and disagrees with the decision to dismiss or discontinue the complaint, the Chair appoints a Panel made up of one or three Commissioners to hear evidence about the complaint. The Panel then makes the determination as to whether a case of discrimination has been established and, if so, what remedy should be ordered.

The Powers of a Human Rights Panel are set out in section 28.4 of the *Act:*

28.4 (1) A Human Rights Panel

(a) shall, if it finds that a complaint is without merit, order that the complaint be dismissed;

(a.1) may allow the complainant to withdraw a complaint after some evidence has been presented at a Panel hearing; and

(b) may, if it finds that a complaint has merit in whole or in part, order the person against whom the finding was made to do any or all of the following:

(i) to cease the contravention complained of;

(ii) to refrain in future from committing the same or any similar contravention;

(iii) to make available to the complainant or other person dealt with contrary to this Act, the rights, opportunities or privileges that the person was denied contrary to this Act;

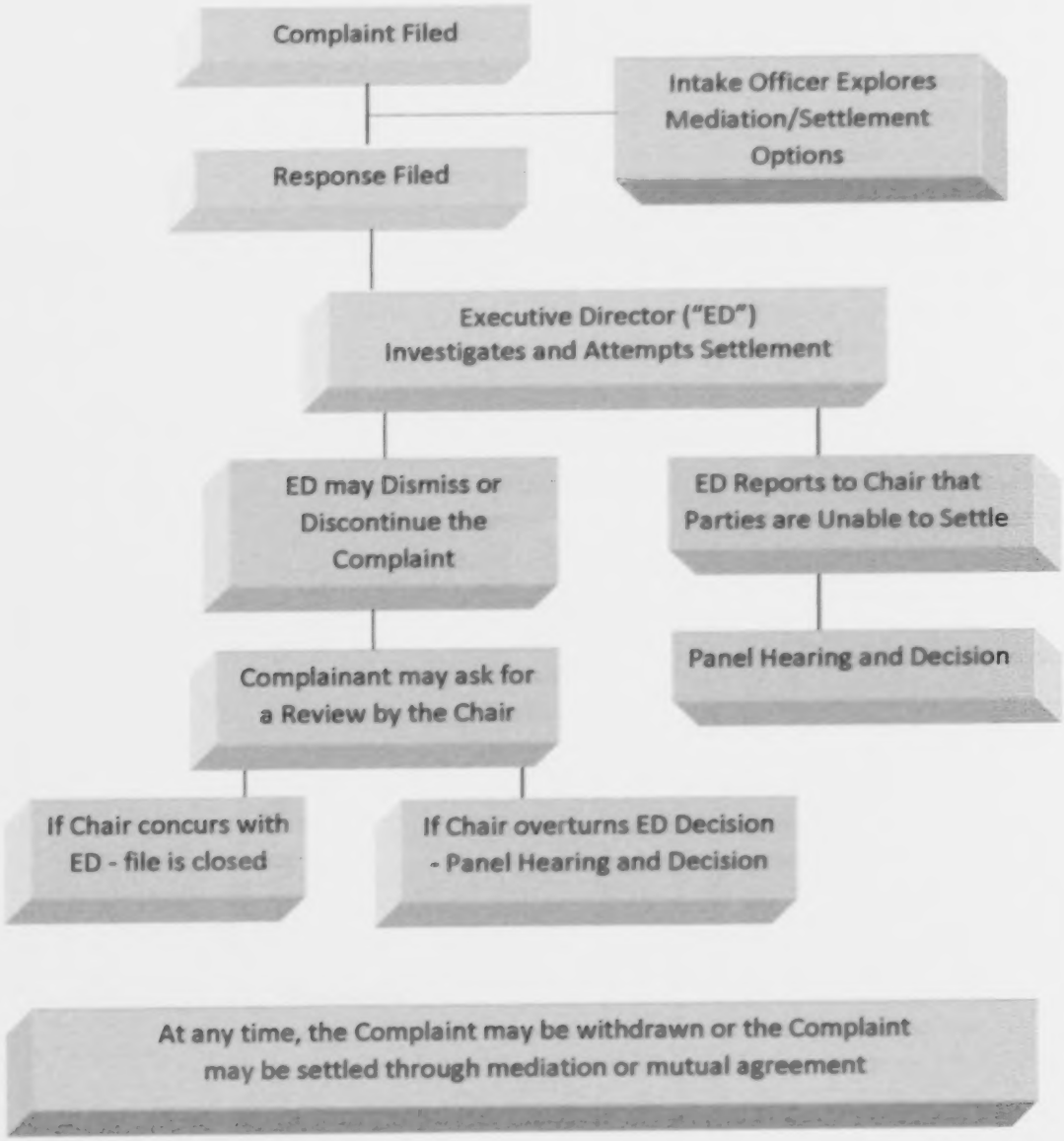
(iv) to compensate the complainant or other person dealt with contrary to this Act for all or any part of wages or income lost or expenses incurred by reason of the contravention of this Act;

(v) to take any other action the Panel considers proper to place the complainant or other person dealt with contrary to this Act in the position the person would have been in, but for the contravention.

Did You Know?

In **1976**, there were **10** grounds protected under the *Act*. There are now **19**.

Typical Complaint Process


Complaint Filed
Intake Officer Explores Mediation/Settlement Options
Response Filed
Executive Director ("ED") Investigates and Attempts Settlement
ED may Dismiss or Discontinue the Complaint
ED Reports to Chair that Parties are Unable to Settle
Complainant may ask for a Review by the Chair
Panel Hearing and Decision
If Chair concurs with ED - file is closed
If Chair overturns ED Decision - Panel Hearing and Decision
At any time, the Complaint may be withdrawn or the Complaint may be settled through mediation or mutual agreement

Complaint Statistics

Eighty (80) matters were carried over from previous years and forty-five (45) complaints were received in 2016-2017, which resulted in a total of one hundred twenty-five (125) open files during this fiscal year. In addition to formal complaints, the Commission received approximately three hundred (300) inquiries (phone, email and in-person) from individuals and organizations seeking information about their rights and responsibilities under the *Act*.

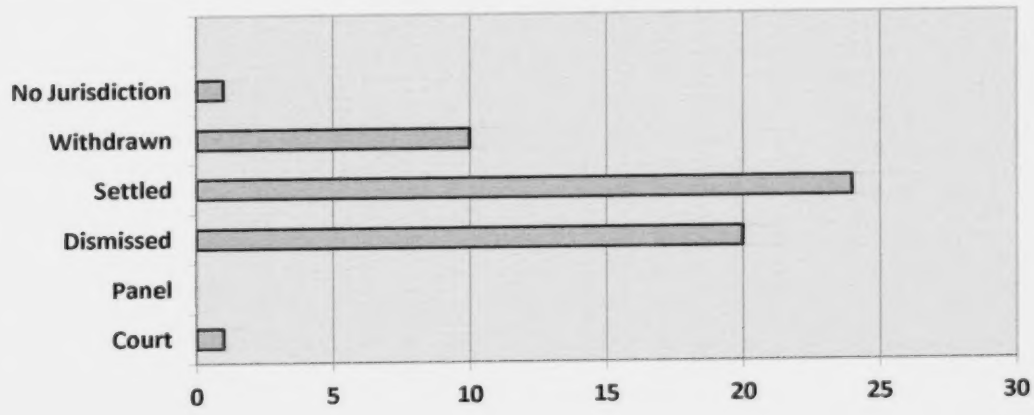
Number of Complaints in Area and Ground

	Carried over from previous years			Received in 2016-2017			
Ground of Discrimination	Employ-ment & Volunteer Work	Services & Facilities	* Other & multiple areas	Employ-ment & Volunteer Work	Services & Facilities	* Other & multiple areas	Total
Age	1			1			2
Association							
Colour, Race, Ethnic/National Origin	3			1	3	1	8
Creed/Religion	3	1					4
Criminal Conviction	2			1			3
Disability	20	7	3	10	5	1	46
Family Status				1	1		2
Gender Expression							
Gender Identity					2		2
Marital Status							
Political Belief					1		1
Sex (including Pregnancy and Harassment)	7		1	5			13
Sexual Orientation	1	2				1	4
Source of Income						2	2
Filing a Complaint/Giving Evidence	1						1
Multiple Grounds	17	9	2	5	2	2	37
Total Number of Complaints	**55**	**19**	**6**	**24**	**14**	**7**	**125**

Most complaints arise in the area of employment, while the most common ground of discrimination is disability. The same is true for inquiries received by the Commission.

* Other and Multiple Areas include: Accommodations, Lease or Sale of Property, Membership in Employee or Professional Organizations, and Advertisements and Publications.

Complaint Outcomes
April 1, 2016 - March 31, 2017



Closed Files (56)

No Jurisdiction:
One (1) complaint was dismissed as it was outside the jurisdiction of the PEI Human Rights Commission.

Withdrawn:
Ten (10) complaints were withdrawn at various stages by the Complainant or were considered withdrawn as the complaint was deemed abandoned.

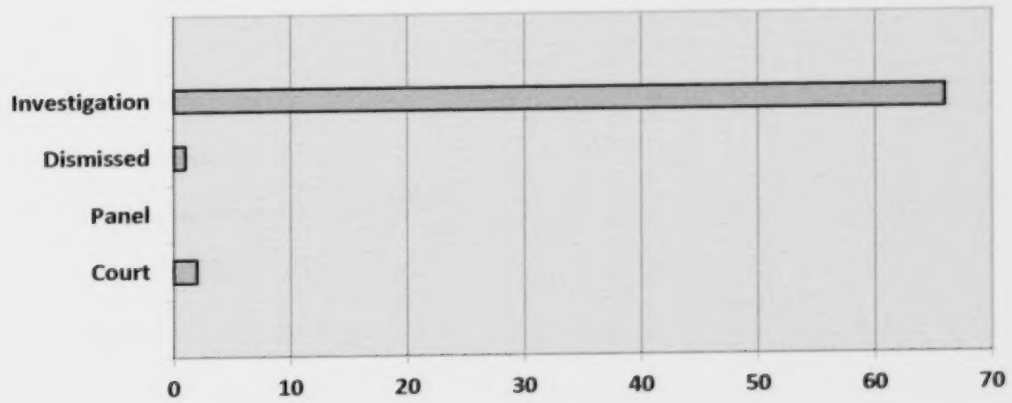
Settled:
Twenty-four (24) complaints were resolved through settlement discussions or mediation.

Dismissed or Discontinued:
Twenty (20) complaints were dismissed or discontinued by the Executive Director or Delegate as set out in the *Act* (section 22(4)). Nine (9) Complainants requested a review by the Chair and decisions were rendered in each.

Panel: No panels were convened this year.

Court Matters:
One (1) matter was closed following a Supreme Court Order. (See Court Decisions page 23)

Complaint Outcomes
April 1, 2016 - March 31, 2017



Files Carried Forward to 2017-2018 (69)

Investigation/Settlement:
Sixty-six (66) complaints remain in various stages of the complaint process (i.e.: investigation, settlement negotiations, held in abeyance).

Dismissed or Discontinued:
One (1) complaint was dismissed or discontinued by the Executive Director or Delegate as set out in the *Act* (section 22(4)) but remained open pending the Chair's decision on a Request for Review.

Panel:
There was one (1) matter referred back to a panel by the Supreme Court following a Judicial Review application process. That decision has been appealed to the Court of Appeal and is scheduled to be heard December 12, 2017.

Court Matters:
As of March 31, 2017, there were two (2) matters (including the one noted above under Panel) that had decisions rendered by the Supreme Court and have filed appeals. (See Court Decisions page 23)

Mediation/Settlements

The Commission encourages parties to attempt to find a mutually agreeable solution to complaints. The Commission's Mediator/Intake Officer reviews files to assess whether the parties are open to a mediation or settlement process at an early stage. This gives the parties the opportunity to settle their issues and, in some cases, rebuild their relationships before they become more entrenched in their positions and without the delay of waiting for an investigation or panel hearing. Our Mediator can facilitate informal settlement or formal mediation opportunities.

Allowing parties to develop their own solutions through settlement discussion is more effective and satisfactory and less expensive than the tribunal process. Settlement is particularly valuable when the relationship between the parties is likely to continue.

Settlements between Complainants and Respondents may be achieved at any time before a Human Rights Panel rules on a complaint. Even if the parties are unable to reach settlement during the early stages, the Executive Director or Delegate may facilitate a settlement during the investigation or preparation for panel hearings. Settlements can be reached without a finding or acknowledgment that the matter complained of was discriminatory.

Settlements made through the Commission have included making changes in a policy of a business or service, changes to physical elements of a place of business, re- employment of the Complainant, accommodation at the workplace (hours of work, physical space), an apology letter, letter of reference or financial compensation.

Consistent with the Commission's mandate of providing human rights education, settlements often include an educational component for one or both parties to the complaint.

During this fiscal year, twenty-four (24) complaints were settled through mediation or settlement discussions. Eighteen (18) of these related to employment, one (1) related to accommodations and five (5) related to services available to the public. The majority of these complaints named disability as the ground of discrimination.

Did You Know?

Of the **cases closed** in **2016-2017** **61%** were mediated, settled or withdrawn.

Panel Hearings in 2016 – 2017

There were no panel hearings held in 2016-17.

Court Files Closed in 2016-2017

***MacMaster v. Workers Compensation Board & PEIHRC*, S1-GS-24741**

On February 16, 2011, the Complainant filed a complaint alleging discrimination in employment on the basis of source of income. He alleged that he was not being paid the full amount of Workers Compensation benefits to which he was entitled. The Executive Director dismissed the complaint because he found it to be without merit.

The Complainant requested a review by the Chair of the Commission, who concurred with the decision of the Executive Director. On March 29, 2012, the Complainant filed an application for Judicial Review. This matter was dismissed by the Court on September 9, 2016, on the basis of delay pursuant to section 48.13(8)(b) of the Rules of Court.

Court Files Ongoing 2016-2017

***King v. Government of Prince Edward Island*, S1-GS-27111; S1-CA-1359**

On February 13, 2013, the Complainant filed a complaint on behalf of her adult child, alleging discrimination in the area of services and facilities available to the public on the basis of disability. She alleged that the Respondent discriminated against persons disabled by reason of mental illness by not extending the same benefits to those individuals, such as her daughter, as it does to people with other forms of disability.

This matter was heard by a three-person panel on January 12, 14, and 15, 2016, and a written decision was issued on March 31, 2016.

The Panel concluded that the exclusion of mental illness from the child and adult disability support components of the Disability Support Program is discriminatory against individuals who are disabled as a result of mental illness. Accordingly, the Panel found that the Respondent discriminated against the Complainant. The Panel ordered:

> The Respondent cease excluding people with a disability caused by mental illness from accessing the full benefits of the Disability Support Program.
>
> The Respondent make necessary changes to the Disability Support Program to refrain in future from excluding people with a disability caused by mental illness from access to the DSP.

The Respondent make available to the Complainant and to other persons who are disabled as a result of mental illness, the rights, opportunities or privileges of all components of the DSP.

The Disability Support Program conduct an appropriate assessment of the Complainant within six [6] months of this Order to determine if she has any unmet needs which can be addressed by the program. They are to use an assessment process which properly assesses a person whose disability results from mental illness.

The Respondent pay $15,000 in general damages and $16,000 in costs to the Complainant.

An application for a Judicial Review was made by the Respondent. The Judicial Review was heard on February 1, 2017. On May 3, 2017, the Court referred the matter back to a panel. The Complainant has filed an appeal of the Court's decision. The appeal is scheduled to be heard December 12, 2017.

***Cairns v. Eastern School Board & PEIHRC*, S1-GS-24710; S1-CA-1343**

On March 7, 2007, the Complainant filed a complaint alleging discrimination in employment on the basis of perceived disability. He alleged that his employer terminated his employment because they perceived he had a disability. The employer alleged that they terminated the employment for other reasons including his refusal to participate in an employer ordered assessment.

After investigating, the Executive Director on August 25, 2011, dismissed the complaint as he found it to be without merit. The Complainant requested a review by the Chair of the Commission. The Chair Delegate on February 13, 2012, concurred with the decision of the Executive Director.

The Complainant filed an application for Judicial Review. The Judicial Review was heard on February 29, 2016. The Court issued a decision on August 25, 2016, dismissing the application. The Complainant filed an appeal of the Court's decision. The matter was heard by the Court of Appeal on June 20, 2017. No decision has yet been released.

Commissioners (2016 – 2017)

Human Rights Commissioners are appointed by the Legislative Assembly on the recommendation of the Standing Committee on Communities, Land and Environment. The Commissioners come from a variety of personal and professional backgrounds and bring their own experience and expertise to decision-making. They are appointed for terms up to three years and are eligible for reappointment.

Commissioners provide leadership in setting the direction and promoting the work of the Commission.

The Chair may be asked to review decisions of the Executive Director or Delegate when a complaint has been dismissed or discontinued.

If the matter is referred to a hearing, the Chair will appoint one or three Commissioners to sit on a Panel to hear evidence and submissions and determine if there has been a violation of the *Human Rights Act* and, if so, what remedy should be ordered.

Commission Chair - John G. Rogers

John Rogers of Brae was appointed to the Commission in 2008 and reappointed in 2011, 2014, and 2017. He was appointed Chair of the Commission on July 9, 2015. Mr. Rogers holds a B.A. and B.Ed. from the University of Prince Edward Island and a M.Ed. from the University of Ottawa. He retired from the public school system in 2005 after serving as a teacher, vice-principal, and principal. Since retiring, Mr. Rogers has been employed part-time as a sessional lecturer with the Faculty of Education at UPEI. He also works as a helping hand during busy times on the family farm in Brae.

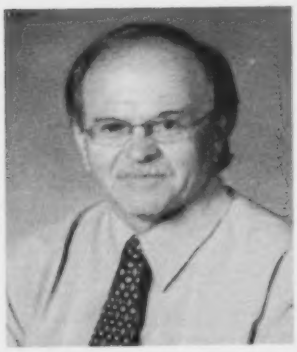
Mr. Rogers has served on numerous organizations both at the local and provincial levels. He is a past director of the Canadian Potato Museum and Leard's Pond Environment Project. He recently chaired the O'Leary West Cape Pastoral Charge Joint Search Committee and currently sits on the Board of Directors for Corinthian Home Seniors' Residence in O'Leary.

Mr. Rogers is committed to the fundamental principle that "all persons are equal in dignity and human rights" (Preamble, PEI *Human Rights Act*). He will continue to pursue the ideal of fair and equal treatment for all members of society.

George A. Lyle, Commissioner

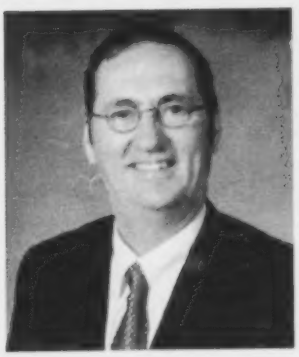
George Lyle of Summerside was appointed Commissioner on April 16, 2009, and reappointed in 2012 and 2015. Mr. Lyle, now retired, practiced law as a general practitioner from 1978 to 2014 in the Province of Prince Edward Island. Prior to that, he held various positions with the Guaranty Trust Company of Canada. He is a graduate of the University of Ottawa Law School and a certificate program in Trust Business from Queen's University. During his private practice of law, he held the position of Chairperson of the PEI Labour Relations Board and was President of the Law Society of Prince Edward Island and the PEI branch of the Canadian Bar Association. Mr. Lyle has served on various boards and has a strong community involvement in the City of Summerside.

Alcide J. Bernard, Commissioner



Alcide Bernard of Wellington was appointed Commissioner in April 2011 and reappointed in 2014. Mr. Bernard holds a B.A. and M.B.A. from the University of Moncton. He retired from Old Dutch Foods Inc in March 2011 after having served in various management positions throughout his 25 years in the potato chipping industry. Mr. Bernard worked with the Atlantic Commission on Acadian Tourism as Tourism Development Officer for PEI before retiring. He currently serves as Chairman of the Incorporated Community of Wellington. Mr. Bernard has been involved in many other volunteer organizations in the Acadian community of Prince Edward Island.

Maurice H. J. Rio, Commissioner



Maurice Rio of Summerside was appointed Commissioner in 2006 and served until 2009. He was reappointed in 2012 and 2015. Mr. Rio returned to the Island after 20 years of public service with the federal Department of the Solicitor General. He studied at Dalhousie University, Memorial University and the University of Regina. As a proponent of natural justice, Mr. Rio is pleased to continue to serve Islanders in his work for human rights.

Carmen de Pontbriand, Commissioner

Carmen de Pontbriand was appointed to the Commission in May 2014 and reappointed in 2017. She is originally from Montréal, but currently resides in Charlottetown. Ms. de Pontbriand has extensive professional experience with municipal and local governments as well as having been a member of the Veterans Appeal and Review Board of Canada. She holds certificates in tribunal administration, journalism and entrepreneurship. She is an active member of her community, participating in two choirs and various community organizations.

Hon. Ellen M. Macdonald, Commissioner

The Hon. Ellen Macdonald B.A., LL.B., LL.D., (Honours), of Souris was appointed Commissioner in May 2014. She joined the Commission following her retirement in August 2013 from the Superior Court of Justice (Ontario).

Justice Macdonald graduated from Souris High School in 1966, UPEI in 1970, and the McGill Faculty of Law in 1973. She was admitted to the Ontario Bar in 1975 and practiced law in Toronto from 1975 to November 1991 when she was appointed to the Superior Court.

Justice Macdonald has been extensively involved in continuing legal education for the judiciary as well as the Superior Court Judges' Association and Judges' Counselling Program. She has been a member of the 4H Board of Directors including the Canadian Council of 4H Clubs, and was a past Director of the Ontario Advocates' Society and the Dellcrest Children's Center, a non-profit children's mental health centre in Toronto. In November 2001, Justice Macdonald was awarded the Distinguished Alumni Award from UPEI.

Commission Staff (2016-2017)

The Commission staff carries out the day to day functions of the Commission including processing, mediating, investigating and settling complaints. Staff are also involved in presenting cases during a panel hearing. Lawyers at the Commission appear before the Supreme Court and Court of Appeal. Education is a key role for all staff who frequently respond to inquiries from the public about human rights issues. All staff are involved in preparing written and online informational materials, as well as providing education presentations on human rights.

Brenda J. Picard Q.C., Executive Director

Brenda Picard Q.C. has been the Executive Director at the Commission since August 2013.

After graduating from Kensington Intermediate Senior High School (1979), Brenda attended Dalhousie University where she obtained her Bachelor of Arts (1982) and Bachelor of Laws (1985) degrees. She was admitted to the Nova Scotia Barrister's Society (1986) and practiced in Stellarton.

Returning to PEI in 1990, Brenda was the first Co-ordinator of Transition and Support Services in Summerside. She was admitted to the Law Society of PEI in 1992. She was a partner at The Law Offices of Craig and Picard prior to her lengthy career at PEI Legal Aid, which preceded her current position. Brenda was appointed Queen's Counsel in 2007.

Brenda has been a regular volunteer with her church and with many provincial and national organizations relating to family violence prevention, restorative justice and conflict resolution. She resides in Charlottetown with her partner Rick and her son Micah.

Wendy Marie Baker, Human Rights Legal Officer

Wendy Marie Baker was born in Halifax and grew up in the village of Spanish Ship Bay, Nova Scotia. She obtained her Bachelor of Arts degree from Saint Mary's University in Halifax in 1997 and earned a diploma in Media Studies from the Atlantic Media Institute in Halifax in 1999. She earned her law degree from the University of Victoria in 2006. Wendy has lived and worked in five Canadian provinces and has held positions in both the public and private sectors. She joined the staff of the Commission in 2010. She is a member of the Law Society of Newfoundland and Labrador, the Law Society of Prince Edward Island and the Nova Scotia Barristers' Society. Ms. Baker accepted an employment position in Halifax, Nova Scotia in March 2017.

B. Lorraine Buell, Mediator / Intake Officer

Lorraine Buell is the Commission's Mediator/Intake Officer. She joined the Commission's team in February 1998. She is an Islander and a member of the Canadian Payroll Association and the Council of Canadian Administrative Tribunals. She is a Commissioner of Oaths and Panel Clerk at Human Rights hearings. Lorraine received her Business Administration at Career Skills, Executive Office Administration at Holland College and Conflict Resolution Studies at University of Prince Edward Island. She resides in Stratford with her partner Donnie. She has three children: Amanda (Ben), Nick (Shalin), Scott (Amanda), and a step-daughter Vanessa (Mitch). She also has five grandchildren: Everly and Levi, Emilyn and Ella-rae, and Maxine.

Thomas V. Hilton, Education Project Officer

Thomas Hilton (Tom), a native of Charlottetown, holds a BA from Bowdoin College (Brunswick, ME) and a Master of Education from UPEI. In 2014, Tom received the Governor-General Gold Medal Award for his Master's thesis *'Schooling and Practices of Freedom of 'Out' Queer Youth on Prince Edward Island'.* Tom has worked at the Commission on public education outreach projects since 2011. He is presently working with the Mi'kmaq Confederacy of PEI, the UPEI Faculty of Education, and the Department of Education Early Learning and Culture on the Canada 150 funded *'Mi'kmaq at 12,000+ & Canada at 150: Celebrating a Journey of Reconciliation'.* The event will take place on Human Rights Day 2017 (Monday, December 11th) at the Confederation Centre of the Arts.

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION

Financial Statements
March 31, 2017

Management's Report

Management's Responsibility for the Financial Statements

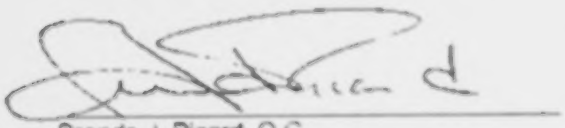
The financial statements have been prepared by management in accordance with Canadian public sector accounting standards and the integrity and objectivity of these statements are management's responsibility. Management is responsible for the notes to the financial statements and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements.

Management is responsible for implementing and maintaining a system of internal control to provide reasonable assurance that reliable financial information is produced.

The Board of Commissioners is responsible for ensuring that management fulfills its responsibilities for financial reporting and internal control. The Board reviews internal financial reports on a regular basis and externally audited financial statements annually.

The Auditor General conducts an independent examination, in accordance with Canadian generally accepted auditing standards and expresses her opinion on the financial statements. The Auditor General has full and free access to financial information and management of the Prince Edward Island Human Rights Commission to meet as required.

On behalf of the Prince Edward Island Human Rights Commission



Brenda J. Picard, Q.C.
Executive Director

June 18, 2017

Prince Edward Island
Office of the
Auditor General
PO Box 2000, Charlottetown PE
Canada C1A 7N8

Île-du-Prince-Édouard
Bureau du
vérificateur général
C.P. 2000, Charlottetown PE
Canada C1A 7N8

INDEPENDENT AUDITOR'S REPORT

To the Commissioners of the
Prince Edward Island Human Rights Commission

I have audited the financial statements of the **Prince Edward Island Human Rights Commission,** which comprise the statement of financial position as at March 31, 2017, and the statements of operations and accumulated surplus (deficit), changes in net financial assets (debt), and cash flow for the year then ended and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted the audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2017, and the results of its operations, changes in net financial assets (debt), and cash flow for the year then ended in accordance with Canadian public sector accounting standards.

B. Jane MacAdam, CPA, CA
Auditor General

Charlottetown, Prince Edward Island
June 18, 2017

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION
Statement of Financial Position
March 31, 2017

	2017	2016
	$	$
Financial Assets		
Cash	25,001	61,968
Accounts receivable	731	1,221
	25,732	63,189
Liabilities		
Accounts payable and accrued liabilities (Note 3)	42,087	58,148
Net Financial Assets (Debt)	(16,355)	5,041
Non Financial Assets		
Prepaid expenses	2,963	5,546
Accumulated Surplus (Deficit)	(13,392)	10,587

(The accompanying notes are an integral part of these financial statements)

Approved on behalf of the Prince Edward Island Human Rights Commission

Chairperson

Commissioner

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION

Statement of Operations and Accumulated Surplus (Deficit)
for the year ended March 31, 2017

	Budget 2017	2017	2016
	$	$	$
Revenues			
Grants - Province of Prince Edward Island	478,000	412,000	397,000
Other grants (Note 7)	-	3,225	22,500
	478,000	415,225	419,500
Expenses			
Commissioner per diems (Note 6)	34,000	17,692	31,049
Conferences and training	4,000	3,282	4,702
Equipment	2,000	1,370	1,542
Hearing expenses	1,500	2,166	322
Dues and fees	3,500	3,700	3,244
Miscellaneous	2,500	1,601	1,824
Office and special projects	10,000	10,847	9,455
Photocopying	4,000	4,449	2,803
Professional fees	500	300	1,805
Project - Made in PEI (Note 7)	-	302	48,821
Rent	23,000	22,625	21,500
Salaries and benefits (Note 8)	375,000	357,553	305,481
Travel - staff	7,000	6,045	5,619
- commissioners	8,000	4,819	7,145
Telephone	3,000	2,453	2,535
	478,000	439,204	447,847
Annual Deficit	-	(23,979)	(28,347)
Accumulated Surplus, beginning of year		10,587	38,934
Accumulated Surplus (Deficit), end of year		(13,392)	10,587

(The accompanying notes are an integral part of these financial statements.)

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION
Statement of Changes in Net Financial Assets (Debt)
for the year ended March 31, 2017

	Budget 2017	2017	2016
	$	$	$
Net Financial Assets, beginning of year	5,041	5,041	36,679
Changes in year:			
Annual deficit	-	(23,979)	(28,347)
Prepaid expenses	-	2,583	(3,291)
Change in Net Financial Assets	-	(21,396)	(31,638)
Net Financial Assets (Debt), end of year	5,041	(16,355)	5,041

(The accompanying notes are an integral part of these financial statements.)

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION
Statement of Cash Flow
for the year ended March 31, 2017

	2017	2016
	$	$
Cash provided (used) by:		
Operating Activities		
Annual deficit	(23,979)	(28,347)
Changes in:		
Accounts receivable	490	7,398
Accounts payable and accrued liabilities	(16,061)	41,916
Prepaid expenses	2,583	(3,291)
Cash provided (used) by operating activities	(36,967)	17,676
Cash, beginning of year	61,968	44,292
Cash, end of year	25,001	61,968

(The accompanying notes are an integral part of these financial statements.)

PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION
Notes to Financial Statements
March 31, 2017

1. Purpose of the Organization

The Prince Edward Island Human Rights Commission (the Commission) is a corporate body established under section 16(1) of the *Human Rights Act* of Prince Edward Island. The Commission is responsible for administering and enforcing the *Human Rights Act* and providing education and public information in the field of human rights. The Commission also inquires into and endeavours to effect a settlement of any complaint of a violation of the *Human Rights Act* filed with the Commission as prescribed by the Act.

The Commission is a non taxable entity under the provisions of the federal *Income Tax Act*.

2. Summary of Significant Accounting Policies

Basis of Accounting

These financial statements are prepared in accordance with Canadian public sector accounting standards. Since the Commission has no unrealized remeasurement gains or losses attributed to foreign exchange, derivatives, portfolio investments, or other financial instruments, a statement of remeasurement gains and losses is not prepared.

The following accounting policies are considered significant.

a) Cash

Cash consists of balances on deposit with a financial institution.

b) Accounts Receivable

Accounts receivable are recorded at cost less any specific provision when collection is in doubt.

c) Prepaid Expenses

Prepaid expenses are charged to expense over the periods expected to benefit.

d) Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities are recorded for all amounts due for work performed and goods or services received during the year.

e) Tangible Capital Assets

Tangible capital assets are recorded at cost provided the threshold of $2,000 is met and are amortized on a straight-line basis over the estimated useful life. Tangible capital asset purchases that do not meet the threshold are expensed. No capital assets have been recognized because purchases did not meet the threshold for capitalization.

2. **Summary of Significant Accounting Policies (continued...)**

f) Revenues

Transfers from the Province of Prince Edward Island (revenues from non-exchange transactions) are recognized as revenue when the transfer is authorized, any eligibility criteria are met, and a reasonable estimate of the amount can be made.

Revenues from other grants are recognized in the period in which the transaction or event that gave rise to the revenue occurred. Revenues are recorded on an accrual basis, except when the accruals cannot be determined with a reasonable degree of certainty or when their estimation is impracticable.

g) Expenses

Expenses are recorded on an accrual basis in the period in which the transaction or event that gave rise to the expense occurred.

h) Financial Instruments

Financial instruments consist of accounts receivable, accounts payable, and accrued liabilities. They are carried at cost or amortized cost, less any provisions on accounts receivable. Provisions are calculated on a specific basis. Due to their short-term nature, the carrying value of these financial instruments approximates their fair value.

i) Use of Estimates and Measurement Uncertainty

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Items requiring the use of significant estimates include accrued liabilities, sick leave, retiring allowance, and allocation of salaries to projects.

Estimates are based on the best information available at the time of preparation of the financial statements and are reviewed annually to reflect new information as it becomes available. Measurement uncertainty exists in these financial statements. Actual results could differ from these estimates and the difference could be material.

3. Accounts Payable and Accrued Liabilities

	2017 $	2016 $
Accounts payable	816	5,498
Accounts payable - Province of Prince Edward Island	35,678	45,901
Accrued vacation pay	5,593	6,749
	42,087	58,148

4. Related Party Transactions

The Commission had the following transactions with the Province of Prince Edward Island.

	2017 $	2016 $
Grants from the province	412,000	397,000

Included in salaries and benefits is salary expense of $115,714 (2016 - $112,364) and benefit expenses of $20,214 (2016 - $18,819) related to staff seconded from the province.

5. Contractual Obligations

The Commission has entered into a number of multi-year contracts which will become liabilities in the future when the terms of the contracts are met. Disclosure relates to the unperformed portion of the contracts.

	2018 $	2019 $	2020 $	2021 $
Future operating lease payments	25,820	25,820	8,570	1,410

6. Commissioner Per Diems

Commissioner per diems include panels of inquiry, reviews, meetings, educational presentations, training and seminars, and other Commission business.

7. **Project - Made in PEI**

The Commission entered into grant agreements with the Law Foundation of Prince Edward Island to fund the project entitled "Made in PEI: Rights, Responsibilities, Relationships, and Resources". The first part of the project was for the period December 1, 2013 to November 30, 2014 and the second part from January 1, 2015 to December 31, 2015. Revenue was recognized in accordance with the terms of the agreements. The Law Foundation of Prince Edward Island discontinued its funding as of December 31, 2015. Total revenue recognized for the project during the year and included with other grants was Nil (2016 - $22,500). Total expenses recognized related to the project were $302 (2016 - $48,821).

8. **Employee Benefits**

a) **Sick Leave**

All employees are credited 1.5 days per month for use as paid absences in the year, due to illness or injury. Under existing employment agreements, employees are allowed to accumulate unused sick day credits each year up to the allowable maximum. Accumulated credits may be used in future years to the extent that the employee's illness or injury exceeds the current year's allocation. The use of accumulated sick days for sick leave compensation ceases on termination of employment and there is no obligation to settle these amounts with cash payments. A liability has not been recorded in these financial statements based on an analysis which indicated the liability was not significant.

b) **Pension Benefits**

Employees of the Commission participate in a defined contribution pension plan. The Commission makes contributions amounting to 8.09 percent on that part of the salary on which Canada Pension Plan contributions are made and 9.75 percent on salary when Canada Pension Plan contributions are not required. The employee is not required to match or contribute to the plan. These contributions are paid to a Registered Retirement Savings Plan (RRSP) or Registered Disability Savings Plan (RDSP) as selected by the employee. The plan is managed by the employees.

During the year, the Commission incurred $22,855 (2016 - $21,044) in expenses for contributions to these plans.

8. **Employee Benefits (continued...)**

c) **Retirement Allowance**

The Commission provides a retirement allowance to its permanent employees. The amount paid to eligible employees at retirement is equal to one week's pay for every year of service to a maximum of 30 weeks. The benefit costs and liabilities related to the allowance are the responsibility of the Commission. The Province has agreed to fund these liabilities. The Commission has not estimated the liability and no liability has been recognized in these financial statements.

9. **Financial Management**

The Commission's risk exposure, as a result of the financial instruments on its statement of financial position at March 31, 2017, is limited to liquidity and credit risk. The Commission's financial instruments are not subject to significant market risk.

Liquidity Risk

Liquidity risk is the risk that the Commission will not be able to meet all its cash outflow obligations as they come due. This risk is mitigated by monitoring the level of financial assets in relation to amounts due and implementing fiscal restraint when necessary.

Credit Risk

The Commission is exposed to credit risk with respect to accounts receivable. The Commission mitigates this risk through a regular monitoring process. The Commission has no impaired accounts receivable at March 31, 2017.

10. **Budgeted Figures**

Budgeted figures have been provided for comparative purposes and were provided by the Commission.

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

The Prince Edward Island Human Rights Commission is an independent body that investigates, attempts to settle and makes rulings on complaints of discrimination that fall under the Prince Edward Island *Human Rights Act.*

For more information, please contact us.

In Person:
53 Water Street
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PO Box 2000
Charlottetown PE C1A 7N8

By Phone:
902-368-4180 or
1-800-237-5031
(toll-free within Prince Edward Island)

By Fax:
902-368-4236

By Email:
contact@peihumanrights.ca

or visit our website:
www.peihumanrights.ca

"It is recognized in Prince Edward Island as a fundamental principle that all persons are equal in dignity and human rights without regard to age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation or source of income." (preamble to the PEI *Human Rights Act)*

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